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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,431	01/19/2001	Yoshikazu Watanabe	202127US2	7063

22850 7590 05/05/2005

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EXAMINER	
LONG, HEATHER R	

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/764,431	WATANABE, YOSHIKAZU	
	Examiner	Art Unit	
	Heather R. Long	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 January 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/19/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 12-43 in the reply filed on December 6, 2004 is acknowledged. However after further consideration by the Examiner the restriction is being withdrawn and all claims will be examined. The Office apologizes for any inconvenience caused to the Applicant.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference characters "151", "152", "153", "154", "155", and "156" in Fig. 2 and reference character "511" in Fig. 12.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

a. Page 35, line 10: change "S303" to –S302–.

b. Page 45, line 6: change "S110" to –S509–.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 34, 35, 39, 40, and 44-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Honma (U.S. Patent 6,304,313).

Regarding claim **34**, Honma discloses in Fig. 1 a digital camera (101) having a normal shooting mode and a text shooting mode (col. 14, lines 31-35), comprising: an image pickup unit (103) which captures an image of a subject and converts the image into image data (col. 5, lines 33-38); a compressing unit (106) which generates compressed image data by compressing the image data

outputted from the image pickup unit (col. 5, lines 33-38); a storage unit (107) which stores the compressed image data (col. 5, line 38); a switching unit (a switch on the user interface (111)) which switches the normal shooting mode to the text shooting mode and vice versa (col. 6, lines 34-44); and a display unit (LCD on the user interface) which displays on a monitor a video of the subject before being shot (col. 5, lines 43-50; col. 6, lines 45-50), wherein, in the text shooting mode, the display unit displays the guidance (pattern of document and perspective corrections; Fig. 4; col. 6, lines 45-50) to notify a shooting condition of a text (horizontal/vertical directions of images; Fig. 4; col. 6, lines 33-45) while displaying on the monitor the video of the subject before being shot.

Regarding claim **35**, Honma discloses all the limitations as previously discussed with respect to claim 34 including that the guidance includes a frame displayed to make a user aware of an area of a regular size sheet (col. 6, lines 24-30).

Regarding claims **39** and **40**, please see the rejection basis/rationale as described in claims 34 and 35 (respectively) above.

Regarding claim **44**, Honma discloses in Fig. 1 a digital camera (101) having a normal shooting mode and a text shooting mode (col. 14, lines 31-35), comprising: an image pickup unit (103) which captures an image of a subject and converts the image into image data (col. 5, lines 33-38); a compressing unit (106) which generates compressed image data by compressing the image data outputted from the image pickup unit (col. 5, lines 33-38); a storage unit (107)

which stores the compressed image data (col. 5, line 38); a switching unit (a switch on the user interface (111)) which switches the normal shooting mode to the text shooting mode and vice versa (col. 6, lines 34-44); and a shooting angle detecting unit (109) which detects a shooting angle with respect to the subject (Figs. 4A-4C), wherein, in the text shooting mode, shooting is started when the shooting angle becomes substantially perpendicular (Fig. 4A).

Regarding claim **45**, Honma discloses all the limitations as previously discussed with respect to claim 44 including that the shooting angle detecting unit detects the shooting angle by recognizing a shape of the subject being shot (vertical and horizontal directions, Figs. 4A-4C).

Regarding claims **46** and **47**, please see the rejection basis/rationale as described in claims 44 and 45 (respectively) above.

Regarding claim **48**, Honma discloses in Fig. 1 a method of shooting and transferring text using a digital camera (101) comprising the steps of: monitoring a subject through a display unit at a monitor command (monitoring via a monitor, (user interface)); displaying guidance on the display unit when monitoring (pattern of document and perspective corrections; Fig. 4, col. 6, lines 45-50); capturing and compressing image data at a shooting command (captured image via CCD and compression takes place within the compressor (106)); storing compressed data in storage unit (107); reading out and decompressing the compressed image data stored in the storage unit at a transmission command (CPU read out the image and the decompressor decompresses the image data);

effecting image processing appropriate to a transmission destination to the decompressed image data (OCR); and transferring the image processing performed image data to the transmission destination (transmits via I/F interface).

Regarding claim **49**, please see the rejection basis/rationale as described in claim 48 (respectively) above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-11, 36-38, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (U.S. Patent 6,304,313) in view of Safai et al. (U.S. Patent 6,167,469).

Regarding claim **1**, Honma discloses in Fig. 1 a digital camera (101) having a normal shooting mode and a text shooting mode (col. 14, lines 31-35), comprising: an image pickup unit (103) which captures an image of a subject and converts the image into image data (col. 5, lines 33-38); a compressing unit (106) which generates compressed image data by compressing the image data outputted from the image pickup unit (col. 5, lines 33-38); a storage unit (107) which stores the compressed image data (col. 5, line 38); a decompressing unit (108) which compresses the compressed image data (col. 5, lines 39-40); a

switching unit (a switch on the user interface (111)) which switches the normal shooting mode to the text shooting mode and vice versa (col. 6, lines 34-44); and an image processing unit (117) which performs image processing to the image data, wherein, after the decompressing unit decompresses the compressed image data of an image captured in the text shooting mode and stored in the storage unit, the image processing unit effects image processing appropriate to a transmission destination to resulting decompressed image data (col. 5, line 66 – col. 6, line 9). However, Honma fails to explicitly teach a digital camera comprising with which a destination to receive the image data can be selected.

Referring to the Safai et al. reference, Safai et al. discloses a digital camera comprising with which a destination to receive the image data can be selected (abstract; col. 8, lines 1-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of allowing the user to send image data to various locations as disclosed by Safai et al. with the digital camera disclosed by Honma in order to make the camera more versatile by providing the user with more options than just sending an image to a printer.

Regarding claim **2**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claim 1 as well as disclosing that in the text shooting mode, the storage unit stores the shooting condition data (Honma: col. 6, lines 33-39 - monochrome color; col. 7, lines 3-12 – perspective correction) in a one-to-one correspondence with the compressed image data,

and the image processing unit effects the image processing to the image data based on the shooting condition data.

Regarding claim **3**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claim 1 as well as disclosing that the digital camera further comprises a data communication unit (116) which allows a data communication with an external device (Honma: col. 5, lines 62-65).

Regarding claim **4**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 as well as Safai et al. further disclosing that the digital camera further comprises: a memory (212) which stores name and/or telephone number and/or address of a destination (col. 2, lines 45-48; col. 9, lines 15-45), and an image deleting flag that specifies whether the image data should be deleted or not after transmission in a one-to-one correspondence (Fig. 4F; col. 12, lines 55-60; delete option check box (472)); and a deleting unit (trash (442); Fig. 4C) which deletes the image data that has been transmitted through the data communication unit in accordance with the image deleting flag stored in the memory (col. 10, lines 60-67).

Regarding claim **5**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 including that digital camera further comprises a deleting unit which deletes the image data that has been transmitted through the data communication unit depending on a

transmission destination (Safai et al.: col. 12, lines 55-60; col. 8, lines 61-67 – email or physical mail address).

Regarding claim **6**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claims 1, 3, and 4 including that a manipulator is allowed to arbitrarily set a content of the memory (Safai et al.: col. 3, lines 23-28 – operator can delete unwanted images using the Trash icon to free up memory space).

Regarding claims **7-11**, please see the rejection basis/rationale as described in claims 1 and 3-6 (respectively) above.

Regarding claim **36**, Honma discloses all the limitations as previously discussed with respect to claim 34, but fails to disclose the digital camera further comprises a memory which stores, in a one-to-one correspondence, name and/or telephone number and/or address of a destination, and frame display information that specifies whether or not the guidance should be displayed during shooting, wherein the display unit controls the display and non-display of the guidance in accordance with the frame display information stored in the memory.

Referring to the Safai et al. reference, Safai et al. discloses a memory (212) which stores name and/or telephone number and/or address of a destination (col. 2, lines 45-48; col. 9, lines 15-45), and frame display information (frame display via monitor, Fig. 1) that specifies whether or not the guidance (control functions such as zoom, exposure intensity, col. 7, lines 45-50) should be displayed during shooting, wherein the display unit controls the display and

non-display of the guidance in accordance with the frame display information stored in the memory (display control functions via monitor (col. 7, lines 45-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the memory along with the guidance display as disclosed by Safai et al. with the digital camera and guidance display as disclosed by Honma in order to provide a digital camera that is more versatile, allowing the camera to store several parameters along with the images including parameters such as deleting images and guidance parameters.

Regarding claim **37**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claim 34 including that the display unit controls display and non-display of the guidance on the monitor depending on a transmission destination (Safai et al.: display destinations information via monitor; Fig 4E).

Regarding claim **38**, Honma in view of Safai et al. discloses all the limitations as previously discussed with respect to claims 34 and 36 as well as Safai et al. further disclosing that a manipulator is allowed to arbitrarily set a content of the memory (col. 3, lines 23-28 – operator can delete unwanted images using the Trash icon to free up memory space).

Regarding claims **41-43**, please see the rejection basis/rationale as described in claims 36-38 (respectively) above.

8. Claims 12-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (U.S. Patent 6,304,313) in view of Safai et al. (U.S. Patent 6,167,469) in view of Fellegara et al. (U.S. Patent Application Publication 2001/0015760).

Regarding claim **12**, Regarding claim **1**, Honma discloses in Fig. 1 a digital camera (101) having a normal shooting mode and a text shooting mode (col. 14, lines 31-35), comprising: an image pickup unit (103) which captures an image of a subject and converts the image into image data (col. 5, lines 33-38); a compressing unit (106) which generates compressed image data by compressing the image data outputted from the image pickup unit (col. 5, lines 33-38); a storage unit (107) which stores the compressed image data (col. 5, line 38); a decompressing unit (108) which compresses the compressed image data (col. 5, lines 39-40); a switching unit (a switch on the user interface (111)) which switches the normal shooting mode to the text shooting mode and vice versa (col. 6, lines 34-44); and an image processing unit (117) which performs image processing to the image data, wherein, after the decompressing unit decompresses the compressed image data of an image captured in the text shooting mode and stored in the storage unit, the image processing unit effects image processing appropriate to a transmission destination to resulting decompressed image data (col. 5, line 66 – col. 6, line 9), and further recompresses resulting processed image data (col. 5, lines 38-42). However, Honma fails to explicitly teach a digital camera comprising with which a destination to receive the image data can be selected along with the image

processing unit effects processing including clipping, small-step gray scaling, and resolution changing to resulting decompressed image data.

Referring to the Safai et al. reference, Safai et al. discloses a digital camera comprising with which a destination to receive the image data can be selected (abstract; col. 8, lines 1-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of allowing the user to send image data to various locations as disclosed by Safai et al. with the digital camera disclosed by Honma in order to make the camera more versatile by providing the user with more options than just sending an image to a printer. However, Honma in view of Safai et al. still fail to disclose an image processing unit effects processing including clipping, small-step gray scaling, and resolution changing to resulting decompressed image data.

Referring to the Fellegara et al. reference, Fellegara et al. discloses a digital camera with an image processing unit (70) (paragraph [0056]) for processing clipping, small-step gray scaling, and resolution changing to resulting decompressed image data (paragraph [0056] – cropping and resolution reducing).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of image processing as disclosed by Fellegara et al. with the digital camera as disclosed by Honma in view of Safai et al. in order to minimize storage space and to

allocate space for flash memory as disclosed by Fellegara et al. (paragraph [0056]).

Regarding claim **13**, Honma et al. in view of Safai et al. in view of Fellegara et al. discloses all the limitations as previously discussed with respect to claim 12 as well as disclosing that in the text shooting mode, the storage unit stores the shooting condition data (Honma: col. 6, lines 33-39 - monochrome color; col. 7, lines 3-12 – perspective correction) in a one-to-one correspondence with the compressed image data, and the image processing unit effects the image processing to the image data based on the shooting condition data.

Regarding claim **14**, Honma et al. in view of Safai et al. in view of Fellegara et al. discloses all the limitations as previously discussed with respect to claim 12 as well as disclosing that the digital camera further comprises a data communication unit (116) which allows a data communication with an external device (Honma: col. 5, lines 62-65).

Regarding claim **15**, Honma et al. in view of Safai et al. in view of Fellegara et al. discloses all the limitations as previously discussed with respect to claims 12 and 14 as well as Safai et al. further disclosing that the digital camera further comprises: a memory (212) which stores name and/or telephone number and/or address of a destination (col. 2, lines 45-48; col. 9, lines 15-45), and an image deleting flag that specifies whether the image data should be deleted or not after transmission in a one-to-one correspondence (Fig. 4F; col. 12, lines 55-60; delete option check box (472)); and a deleting unit (trash (442);

Fig. 4C) which deletes the image data that has been transmitted through the data communication unit in accordance with the image deleting flag stored in the memory (col. 10, lines 60-67).

Regarding claim **16**, Honma et al. in view of Safai et al. in view of Fellegara et al. discloses all the limitations as previously discussed with respect to claims 12 and 14 including that digital camera further comprises a deleting unit which deletes the image data that has been transmitted through the data communication unit depending on a transmission destination (Safai et al.: col. 12, lines 55-60; col. 8, lines 61-67 – email or physical mail address).

Regarding claim **17**, Honma et al. in view of Safai et al. in view of Fellegara et al. discloses all the limitations as previously discussed with respect to claims 12, 14, and 15 including that a manipulator is allowed to arbitrarily set a content of the memory (col. 3, lines 23-28 – operator can delete unwanted images using the Trash icon to free up memory space).

Regarding claims **18-22**, please see the rejection basis/rationale as described in claims 12 and 14-17 (respectively) above.

Regarding claims **23-28**, please see the rejection basis/rationale as described in claims 12-17 (respectively) above.

Regarding claims **29-33**, please see the rejection basis/rationale as described in claims 12 and 14-17 (respectively) above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Long whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather R Long
Examiner
Art Unit 2615

HRL
May 2, 2005

TUAN HO
PRIMARY EXAMINER